

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DAVID KIRKLAND,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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Civil Action No. 16-7831 (KSH)

ORDER

Petitioner David Kirkland has filed a motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255, attacking a judgment and sentence imposed by this Court in *United States v. Kirkland*, No. 06-cr-0911, ECF No. 189 (D.N.J. entered Oct. 5, 2009), after a jury convicted him of transporting stolen goods across state lines. The Court has considered the motion, the records of proceedings in this matter, respondent's answer, and Kirkland's reply. For the reasons stated in the accompanying opinion, and for good cause shown,

IT IS on this 30th day of August, 2018,

ORDERED that the motion to vacate, set aside or correct sentence, is **DENIED**; and it is further

ORDERED that a certificate of appealability is **DENIED**; and it is further

ORDERED that that the Clerk shall serve this order and the accompanying opinion upon the parties, and shall **CLOSE** the file.

s/ Katharine S. Hayden
Katharine S. Hayden, U.S.D.J.